

Message Text

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21

ORIGIN TRSE-00

INFO OCT-01 AF-06 ISO-00 EB-07 JUSE-00 AID-05 CIAE-00

COME-00 FRB-03 INR-07 NSAE-00 USIA-06 XMB-02 OPIC-03

SP-02 CIEP-01 LAB-04 SIL-01 OMB-01 STR-04 /053 R

DRAFTED BY TREAS:DCAMERON:JH

APPROVED BY EB/OT/STA:WCLARK, JR.

AF/S:DCHRISTIANSON

EB/OT/STA:MCJONES

EB/ICD/ISM:MDPALAZZOLO (INFO)

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P R 050058Z FEB 76

FM SECSTATE WASHDC

TO AMCONSUL CAPE TOWN PRIORITY

AMEMBASSY PRETORIA PRIORITY

INFO AMCONSUL JOHANNESBURG

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E.O. 11652: N/A

TAGS: ETRD, SF

SUBJECT: COUNTERVAILING DUTIES -- FERROCHROME

REF: CAPE TOWN 74

1. EMBASSY SHOULD BE AWARE THAT ON FRIDAY JANUARY 30, ATTORNEY FOR PETITIONER IN FERROCHROME CASE NOTIFIED TREASURY OF THEIR DESIRE TO CONTEST TREASURY'S DETERMINATION AS PROVIDED BY LAW. PETITIONER HAS THIRTY DAYS TO COMMENCE AN ACTION IN U.S. CUSTOMS COURT CONTESTING THE DETERMINATION FOLLOWING TREASURY'S PUBLICATION OF APPROPRIATE NOTICE AFFIRMING DETERMINATION IN THE FEDERAL REGISTER.

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2. FYI. WE HAVE BEEN TOLD BY DOMESTIC CONSUMERS OF

FERROCHROME THAT AIRCO DESIRES A MARKET SHARING AGREEMENT
TO LIMIT IMPORTATION OF FERROCHROME AND INSURE ITS MARKET
POSITION. END FYI. BECAUSE OF ANTITRUST IMPLICATIONS
AND PENDING LITIGATION EMBASSY SHOULD NOT UNDER ANY
CIRCUMSTANCES BECOME INVOLVED IN OR FACILITATE DISCUSSIONS
BETWEEN AIRCO ON ONE HAND AND SAG OR SA FERROCHROME
PRODUCERS ON THE OTHER. FURTHERMORE SOUTH AFRICAN PARTIES
SHOULD BE CAUTIONED THAT ANY DISCUSSIONS THEY MAY HAVE WITH
AIRCO REPRESENTATIVE COULD PREJUDICE OUTCOME OF LITIGATION
OR RAISE ANTITRUST ISSUES. DEPARTMENT UNAWARE OF AIRCO
INTENTIONS WHEN APPOINTMENT SCHEDULED WITH AMBASSADOR.

3. EMBASSY WILL BE ADVISED OF FURTHER DEVELOPMENTS
ASAP. INGERSOLL

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NNN

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Margaret P. Grafeld
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